

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

LATINO EXPRESS, INC.

and

**TEAMSTERS LOCAL UNION NO. 777
AFFILIATED WITH THE INTERNATIONAL
BROTHERHOOD OF TEAMSTERS, AFL-CIO**

**Cases 13-CA-077678
13-CA-078126
13-CA-078127
13-CA-078765
13-CA-082141**

ORDER DENYING MOTIONS

The Respondent's motions to dismiss the consolidated complaint and to stay the proceedings are denied.¹

Dated, Washington, D.C., June 11, 2013.

MARK GASTON PEARCE,	CHAIRMAN
RICHARD F. GRIFFIN, JR.,	MEMBER
SHARON BLOCK,	MEMBER

¹ The Respondent contends that the Board does not have a valid quorum under *Noel Canning v. NLRB*, 705 F.3d 490 (D.C. Cir. 2013), and that therefore all actions of the Board, including those of its appointees, agents, and delegates, are void ab initio. The Respondent also appears to argue that the Acting General Counsel lacks the power to investigate and prosecute charges of unfair labor practices in the absence of a Board quorum. For the reasons stated in *Bloomington's, Inc.*, 359 NLRB No. 113 (2013), these arguments are rejected.